

Remarks

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and the following remarks. Claims 1-3, 5-14, and 16-20 are pending in the application. Claims 1, 3, 5, 8, 11, 14, 17, and 19 are independent, and have been amended.

Cited Art

The Action cites Pabla, U.S. Patent Publication No. 2002/0156875 (hereinafter "Pabla").

Claim Rejections under 35 U.S.C. § 102

The Action rejects claims 1-3, 5-14, and 16-20 under 35 USC 102(e) as being anticipated by Pabla. Applicants respectfully traverse the rejection and submit the claims are allowable over the cited art.

The independent claims 1, 3, 5, 8, 11, 14, 17, and 19 all relate to the operation of a computing device that can flexibly perform discovery queries and responses in both ad hoc and discovery server networking environments. The claim amendments herein are focused on more clearly stating the computing device's operation mode when operating in a network with a discovery server. In such case (i.e., upon detecting a discovery server), the computing device switches to a server-based discovery mode of operation, in which the computing device exclusively performs its discovery querying as directed transmissions to the discovery server *while suppressing sending any discovery queries as multicast transmissions*. The computing device in the server-based discovery mode of operation also *responds to only those multicast discovery queries that query for device services of the computing device itself*.

Pabla fails to teach or suggest this server-based discovery mode of operation in which the computing device (a) performs discovery queries exclusively via direct transmission to the discovery server, and (b) responds to only those multi-cast discovery queries from other discovery clients inquiring as to device services of the computing device itself.

At page 3, paragraph (c) of the action, the Office indicates that it interprets the use of the permissive language by Pabla (i.e., "*may use* the peer group server 300 for future discoveries") to mean that Pabla's peer devices do not exclusively use a discovery server for discovery queries when aware of the presence of a discovery server on the network. In other words, according to

the Office's stated interpretation of Pabla, Pabla's peer devices do not suppress sending discovery queries as multicast transmissions after they detect the presence of a discovery server. Pabla therefore fails to teach or suggest the recited server-based discovery mode in which discovery client devices exclusively use server-based discovery and not multicast discovery when a discovery server is present.

At page 3, paragraph (b) of the action, the Office also indicates that it interprets the statement in paragraph [67] in Pabla (i.e., "the peer 200 may have obtained information on the peer group name server from another peer 200.") to mean that Pabla's peer devices that are aware of a peer group name server would respond to discovery queries from other peer devices seeking discovery of the peer group name server. This is contrary to the recited server-based discovery mode of operation specified in Applicant's amended claims, in which the computing device *responds to only those multicast discovery queries that query for device services of the computing device itself*. Pabla therefore also fails to teach or suggest this second aspect of the claimed server-based discovery mode of operation.

For the above reasons, the independent claims 1, 3, 5, 8, 11, 14, 17, and 19 should be patentable over the cited art. The dependent claims 2, 6, 7, 9, 10, 12, 13, 16, 18 and 20 are allowable for at least the reasons of their respective base independent claims.

Interview Request

If the claims are not found by the Examiner to be allowable, the Examiner is requested to call the undersigned attorney to set up an interview to discuss this application.

Conclusion

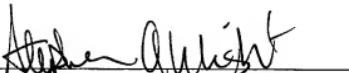
The claims in their present form should be allowable. Such action is respectfully requested.

Respectfully submitted,

KLARQUIST SPARKMAN, LLP

One World Trade Center, Suite 1600
121 S.W. Salmon Street
Portland, Oregon 97204
Telephone: (503) 595-5300
Facsimile: (503) 595-5301

By


Stephen A. Wight
Registration No. 37,759